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Appl. No. 10/752,402
Response to OA dated March 5, 2007
Amendment dated April 26, 2007

APR 26 2007

PATENT
Docket No. 13067-004001
(J-CN4001)

Amendments to the Drawings

FIG. 1 has been amended to include reference number 37 and an appropriate lead line to the "semi-circular notch 37" at the base of the "inboard arm 36," as described in detail at page 6, line 27 of the specification . No new matter is presented hereby.

A clean version and a marked-up version of FIG. 1 are attached herewith in the Appendix.

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Remarks

Status of Application

Claims 1-5 and 16-30 are pending and at issue in the present application.

Claims 1-5 and 16-30 stand rejected as indefinite and for non-statutory double patenting over various claims of Nelson (U.S. 6,692,147), either alone or in combination with Dais et al. (U.S. 2004/0234171), both of which are commonly owned with the present application.

The undersigned thanks the examiner for courtesies extended during a telephonic interview on April 26, 2007, during which the present amendments to claims 1 and 23 were discussed and the examiner indicated that these amendments appeared to overcome the pending indefiniteness rejections.

The applicant hereby traverses the rejections of claims 1-5 and 16-30 as either indefinite or for non-statutory double patenting over the applied art.

The Indefiniteness Rejections

Each of claims 1 and 23 has been amended to provide additional structural clarity regarding how the valve flange and opposing surface are constructed to separate in response to pressure in the cavity. In addition, the formatting of line breaks in claim 1 has been altered in order to more clearly group claim terms. The formatting change does not change the scope of the claim as originally filed but serves merely to clarify what was already grammatically present. As amended, claims 1 and 23 recite sufficient structure for accomplishing the recited function of venting the bag.

Claim 2 has been amended to define structure that permits functioning of the valve flange. As amended, claim 2 recites sufficient structure for permitting "the function of the valve flange and opposing surface to separate in response to pressure in the cavity."

For the foregoing reasons, withdrawal of the indefiniteness rejections of the claims at issue is requested.

The Double Patenting Rejections

A terminal disclaimer with regard to Nelson is being submitted herewith, thereby obviating all of the pending double patenting rejections. Therefore, withdrawal of the pending double patenting rejections is requested.

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Conclusion

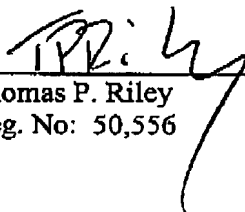
All of the pending rejections having been fully addressed herein, reconsideration and allowance of the claims at issue and issuance of a Notice of Allowance are respectfully requested.

If any further issues are identified by the examiner, the undersigned kindly requests the courtesy of a telephonic interview prior to issuance of an Office action in order to discuss possible alterations in an attempt to expedite final allowance and issuance.

Respectfully submitted,

McCracken & Frank LLP
200 W. Adams, Suite 2150
Chicago, IL 60606
Telephone: (312) 263-4700
Facsimile: (312) 263-3990
Customer No.: 29252

April 26, 2007

By: 
Thomas P. Riley
Reg. No: 50,556

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APPENDIX

Applicant: Charles Nelson
 - Docket No.: 13067-004001
 Title: "Venting Reclosable Bags"
 Fig. 1
 Sheet 1 of 1 (Replacement Sheet)

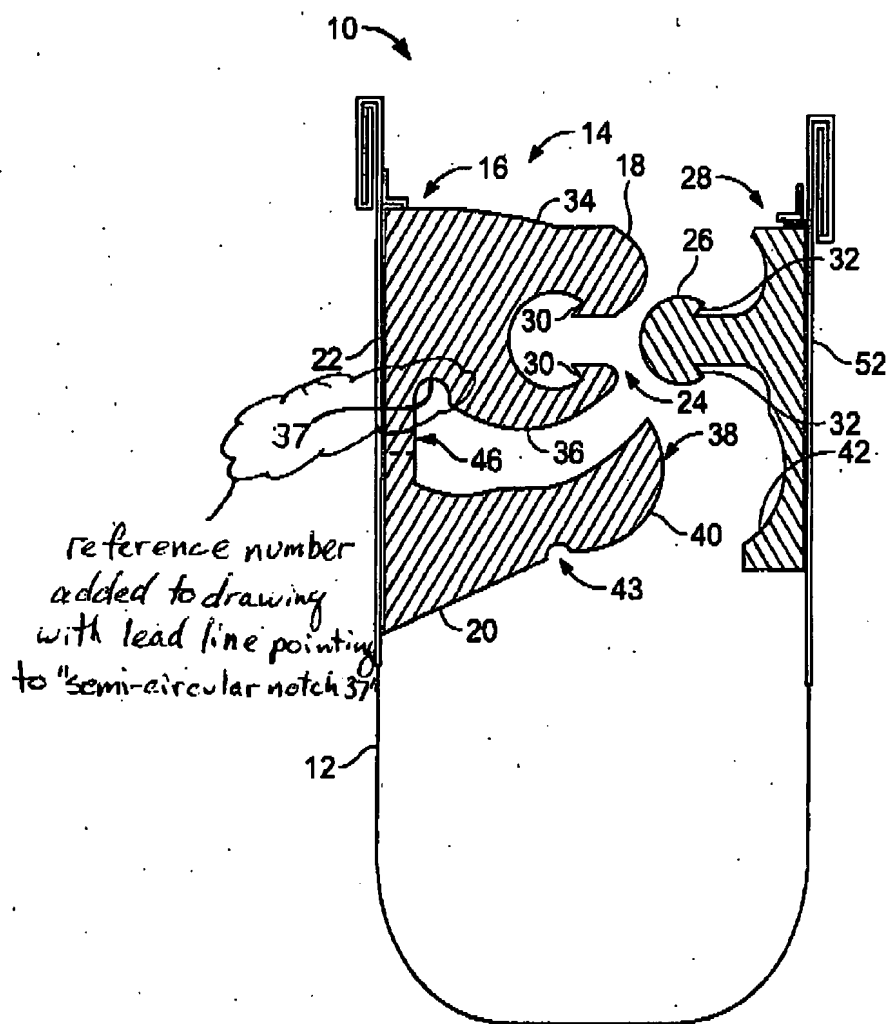


FIG. 1